

City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Council Agenda

Wednesday, January 28, 2015

6:30 PM

Council Chambers, 8th Floor, City Hall

City Council

*Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Teresa V.
Schmidt, Chris Snead, Donnie R. Tuck,
George E. Wallace, Mayor*

Staff:

Mary Bunting, City Manager

Vanessa T. Valdejuli, City Attorney

Katherine K. Glass, CMC, Clerk of Council

Last Published: 1/23/2015 3:23:08 PM

WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Miscellaneous New Business
- (6) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Councilwoman Teresa Schmidt

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items

1. **14-0406** Resolution Authorizing an Advance of \$1,260,000 from the City's General Fund Unassigned Fund Balance to Match State Grand Funds Funding the LAFB Clear Zone Project.
2. **15-0034** Resolution Determining sComm To Be The Only Source Practicably Available From Which To Procure Communication Devices For Use By Individuals With Hearing Impairments And Authorizing The Negotiation And Execution Of A Purchase Contract With sComm As "Sole Source"
3. **15-0036** Ordinance to Amend and Re-Enact Chapter 2, Division 2 of the Code of the City of Hampton Entitled "Meetings" by Amending Sec. 2-36 Pertaining to Council Work Sessions
4. **15-0037** Request for Refund for Tax Year 2014
5. **15-0038** Resolution Appropriating \$361,361.44 of Designated Fund Balance from EMS Fees for Various EMS and Fire Capital Needs
6. **15-0039** Resolution to Approve and Appropriate FY 2014 Hazmat Recovery Funds from the City's General Fund Account to Fire & Rescue's Fiscal year 2015 budget.
7. **15-0040** Resolution Approving and Appropriating the Commonwealth of Virginia Department of Health, Office of Emergency Medical Services, Financial Assistance for Emergency Medical Services Grant Program, known as the Rescue Squad Assistance Fund (RSAF).

8. **15-0041** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the 2015 Hampton Domestic Violence Community Unified Response Effort (CURE) V-STOP Grant Funding Program through the Hampton Commonwealth's Attorney's Office from the Virginia Department of Criminal Justice Services
9. **15-0042** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the 2015 Virginia Domestic Violence Victim Fund Program through the Hampton Commonwealth's Attorney's Office from the Virginia Department of Criminal Justice Services.
10. **15-0043** Resolution Approving Fiscal Year 2015 Second Quarter Budget Adjustments
11. **15-0044** Resolution Approving Signature Authority to Make Railroad Crossing Safety Improvements at Patterson Avenue
12. **15-0048** Approval of the Hampton City Council minutes from the afternoon session of October 22, 2014, the special meeting of October 22, 2014; the evening session of November 12, 2014; and the afternoon and evening sessions of December 10, 2014.

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Rezoning

13. **15-0017** Rezoning Application No. 14-00008: by Michael D. Sifen, Inc. to rezone 1.5± acres from Limited Commercial [C-2] District to General Commercial [C-3] District with proffers to facilitate the construction of a self-storage facility.
14. **15-0018** Rezoning Application No. 14-00005: by BurgerBusters, Inc. to rezone 1.16+ acres at 3375 Commander Shepard Blvd. (LRSN 6000982), 11 Semple Farm Road (LRSN 6000983), and 17 Semple Farm Road (LRSN 6000984) from One Family Residence (R-11) District to Neighborhood Commercial (C-1) District with proffered conditions.
15. **15-0022** Ordinance to Amend and Reenact Article I of Chapter 18.1 of the Zoning Ordinance of the City of Hampton, Virginia Entitled, "General Sign Regulations" by Adding an Exemption for Temporary Special Event Signs.

Use Permit

16. **15-0020** Use Permit No. 14-00018: by Michael D. Sifen, Inc. to permit a self-storage facility at 1975 Cunningham Drive [LRSN 7001198].
17. **15-0021** Use Permit Application No. 14-000: by Sherrie Green and Teresa Gibson King DBA Peninsula Soul Food and Sports Bar for live entertainment inside Peninsula Soul Food and Sports Bar restaurant at 2710 W. Mercury Boulevard [LRSN 3001284].

Ordinances

18. **15-0007** Ordinance Approving the Vacation of a Drainage Easement on Property Owned by Mercury Mall Associates Located at 117 Marketplace Drive (LRSN 13001513), Comprising 17,822 Square Feet (0.409 Acre), More or Less
19. **15-0019** Ordinance to Amend and Reenact Chapter 35.1 of the City Code of the City of Hampton, Virginia Entitled, "Site Plans" By Amending Section 35.1-2 Pertaining to Application and Scope of Chapter and Definitions and Adding Sections 35.1-2.1 and 35.1-2.2 Pertaining to Exemptions from Site Plan Approval.

Resolutions

20. **15-0035** Resolution Authorizing the Execution of a Lease Agreement between the City of Hampton and Newport News Shipbuilding Employees' Credit Union, Inc., D/B/A Bayport Credit Union to Lease Approximately 1,200 square feet on the Third Floor of City Hall at 22 Lincoln Street for Operation of a Credit Union

GENERAL ITEMS**Appointments**

21. **14-0467** to consider appointments to the Citizens' Unity Commission and CEAC

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES**MISCELLANEOUS NEW BUSINESS****PUBLIC COMMENT****ADJOURNMENT**

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov